

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Cadeau Express, Inc.) MUR 4876
)

CONCILIATION AGREEMENT

This matter was referred to the Federal Election Commission ("Commission") by the United States Department of Justice. The Commission found reason to believe that Cadeau Express, Inc. ("Respondent") knowingly and willfully violated 2 U.S.C. §§ 441b(a) and 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. During 1995, Respondent, Cadeau Express, Inc., was a corporation whose president and principal owner was Ramon Desage.
2. In May or June of 1995, Ramon Desage knowingly and willfully caused five people to make separate \$1,000 contributions to the Dole for President Committee, a federal political committee.
3. In May or June of 1995, Ramon Desage caused Cadeau Express, Inc. to reimburse these five people for the contributions they made to the Dole for President Committee, knowing that it was illegal for him to do so.
4. Pursuant to 2 U.S.C. § 431(11), the term "person" includes a corporation.
5. Pursuant to 2 U.S.C. § 441b(a), it is unlawful for a corporation to make a contribution or expenditure in connection with a federal election, and it is unlawful for any officer or any director of a corporation to consent to the making of a contribution or expenditure by the corporation.
6. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution and no person shall knowingly accept a contribution made by one person in the name of another person.

V. Respondent, Cadeau Express, Inc., knowingly and willfully violated 2 U.S.C. §§ 441b(a) and 441f by using corporate funds to make contributions to the Dole for President Committee in the names of others.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Ten Thousand dollars (\$10,000), pursuant to 2 U.S.C. § 437g(a)(5)(B).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either

party, that is not contained in this written agreement shall be enforceable.

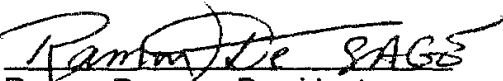
FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

3/23/99
Date

FOR THE RESPONDENT:


Ramon Desage, President
Cadeau Express, Inc.

Feb 11, 1999
Date